

REMARKS

Reconsideration of and entry of this amendment is respectfully requested. Claims 1 to 4 remain in the case for examination and claims 5 to 6 have been cancelled.

The Examiner rejected claims 1 to 4 under 35 U.S.C. § 103 (a) as being unpatentable over Osada et al. (5,603,879) in view of Lebensfeld (5,453,000). Claim 1 the only independent claim has been amended to now positively recite features of the invention not disclosed or suggested by either of the references applied.

The Examiner took the position that Osada et al. teaches the claimed apparatus having a cavity (20) formed by dies (7, 8), the vacuum apparatus (45) disposed in proximity to the cavity and communicates with a circumferential portion of the cavity. The Examiner also held that the vacuum tank (45) also has a valve (47, 48), for controlling the opening and closing of the passages between the vacuum channel and the exhaustion channel (39). The Examiner recognized that Osada et al. failed to teach or suggest a vacuum tank in the die apparatus and the tank being at least a larger than a total volume capacity of the cavity plus the exhaustion channel.

The Examiner noted that Osada et al. has spaces (38) located in the die apparatus in connection to the die and vacuum connection.

The Examiner also cited Lebensfeld for its teaching of the molding apparatus wherein the mold (80) is in close proximity to the vacuum tank 61 (Fig. 14-18). The Examiner also found that the pump of Lebensfeld is located inside the housing (12) of the apparatus along with the mold (80).

Claim 1 has been amended in a sincere effort to over come the rejection and to positively recite that the vacuum tank is disposed within the die apparatus in close proximity to the cavity and circumferentially above the cavity so that fluid is directly exhausted by the vacuum without requiring passage through any vacuum lines or conduits.

No such structure is taught or suggested by Osada et al. and Lebensfeld.

In Osada et al., the vacuum tank (45) is outside the apparatus not circumferentially above the mold cavity. Also fluid must flow through conduit (39) to get to vacuum tank (45). Lebensfeld as well teaches a separate vacuum tank (61) not circumferentially disposed above the mold cavity. Fluid must flow to this tank via line (67).

The invention is directed to an apparatus to quickly and efficiently exhaust a die cavity. This is accomplished with the structure now set further in Claim 1. There is no teaching or suggestion in either Osada et al. or Lebensfeld to arrive at this unique structure.

Claims 2-4 are dependent upon claim 1 and are believed allowable as well.

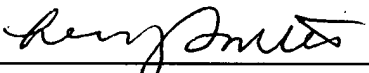
Accordingly in view of the above amendments and remarks, favorable reconsideration and allowance of the application are respectfully requested.

CONCLUSION

Enclosed is our check in the amount of \$450.00 the requisite payment for a two month extension fee. Please credit or debit any other fees associated with this application to Deposit Account No. 03-0520.

A Notice of Allowance is earnestly solicited.

Respectfully submitted,
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